

Application Serial No. 09/866,088

REMARKS

Reconsideration is requested.

As a preliminary matter, Applicant acknowledges with appreciation the courtesy of an interview extended by Examiner Castellano on October 2, 2003. During the interview, differences between the claimed invention and the prior art references of record were discussed. Specifically, geometrical features and features related to alignment corner surface of a tray as recited in the claimed invention were discussed. Such claimed features were also demonstrated with reference to a model left with the Examiner. Although no agreement was reached, Examiner Castellano acknowledged that geometrical features and features related to alignment corner surfaces set forth positive limitations, and that further examination is required to determine patentability of the claimed invention.

In this response, claims 1, 17, 21, 26, and 33 have been amended, claim 32 has been cancelled, and new claims 34-36 have been added. Thus, claims 1-10, and 17-31, and 33-36 are pending in this application. New claims find support at least at page 8, paragraph 23, page 9, paragraph 24, and Figures 3, 7, and 10 of the present specification as originally filed.

The following additional arguments are provided in support of patentability of the claimed invention in addition to Applicant's arguments earlier submitted in a response filed on September 25, 2003.

Amended claim 1 recites, in part, a curved arc of the alignment corner surface is limited to each of the four corners on the inside surface thereof, and wherein an outer surface of the inclined lower section and the alignment corner surface cooperate to provide

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a bifurcated alignment structure during trimming of the tray, and further wherein the outer surface of the inclined lower section cooperates, during a severing operation, with a female die member to provide a coarse alignment structure, and the alignment corner surface of the upper section cooperates with a complementary alignment surface of an alignment fixture on a male member to provide a fine alignment structure. The above-recited features are neither taught nor suggested by the prior art references of record. Claim 1 would not be obvious even if the teachings of Corelli are combined with the teachings of Ramirez, Huang, Balzar, Reskow, or Schubert.

Accordingly, Applicant submits that claim 1 is allowable over the references of record. As claims 2-5, 7-8, and 10 depend from claim 1, they too are allowable.

Amended claims 17, 21, and 26 further recite "...each alignment corner surface is formed in an indented rib section that is formed in the upper wall section of each of the side walls." None of the references of record teach or suggest such feature in addition to the other respective features of claim 17, 21, and 26. Accordingly, Applicant respectfully submits that claims 17, 21, 26, and their respective dependent claims are allowable.

Claim 33 recites "... each alignment corner surface in a horizontal plane includes an arcuate surface formed as a recessed section into the plurality of ribs, and wherein each alignment corner surface is formed in an indented rib section that is formed in the upper wall section of each of the side walls." None of the references of record teach or suggest such recited claim features of claim 33. Claim 33 is therefore allowable.

New claims 34 and 35 further define the geometrical features and alignment corner surface of the rectangular tray.

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For example, claim 34 recites, in part, "...each alignment corner surface in a horizontal plane includes an arcuate surface formed as a recessed section into the plurality of ribs; wherein the recessed section is limited to an arcuate surface area formed by the corners of the side walls, an angle defined by the arcuate surface area being greater than 90 degrees and less than 180 degrees to produce an increased alignment surface area when compared to a right-angled corner surface; wherein a radius of the alignment corner surface is greater than a radius of a corner accompanying the alignment corner surface, wherein a curved arc radius sweep of the alignment corner surface is greater than a curved arc radius sweep of the corner accompanying the alignment corner surface, and a surface area of a frustoconical portion formed by the alignment corner surface is greater than a surface area of a frustoconical portion formed by the corner accompanying the alignment corner surface; and wherein an opening defined by the arcuate surface is specifically provided to receive an outwardly extending corner element of a complementary mating corner alignment fixture to maintain the tray accurately aligned at the corners as the tray is being trimmed from the thermal plastic expanded foam web.

None of the references of record teach or suggest the above-recited features of claim 34. Accordingly, claim 34 is allowable.

New claim 35 recites, in part, "...each alignment corner surface in a horizontal plane comprising a curved arc having an inside corner entrance opening defining an angle that is greater than 90 degrees and less than 180 degrees and specifically provided to receive an internal complementary mating corner alignment fixture to maintain the tray accurately aligned at the corners as the tray is being trimmed from the thermal plastic expanded foam

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web, and each inclined corner surface in a vertical plane forming an obtuse angle with the bottom wall that is less than a corresponding obtuse angle formed between a corresponding lower wall section and the bottom wall, wherein an outer surface of the inclined lower section and the alignment corner surface cooperate to provide a bifurcated alignment structure during trimming of the tray, and further wherein the outer surface of the inclined lower section cooperates, during a severing operation, with a female die member to provide a coarse alignment structure, and the alignment corner surface of the upper section cooperates with a complementary alignment surface of an alignment fixture on a male member to provide a fine alignment structure, and wherein the alignment corner surface has a larger radius limited locally to the curved arc, and the alignment corner surface forming a steep angle in a vertical plane compared to the angle formed between a corresponding lower wall section and the bottom wall.

None of the references of record teach or suggest the above-recited features of claim 35. Accordingly, claim 35 is allowable.

New claim 36 is allowable at least for reasons set forth above with reference to claims 34 and 35. For example, claim 36 recites, in part, "...wherein the alignment corner surface has a larger radius that is limited locally to the arcuate surface when compared to a radius of a corner accompanying the alignment corner surface" None of the references of record teach or suggest such recited features in addition to the other features recited in claim 36. Accordingly, claim 36 is allowable.

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CONCLUSION

For all the reasons advanced above, Applicant respectfully submits that the application is in condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview before issuance of any such subsequent action.

Respectfully submitted,

Dated: October 9, 2003

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